

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 5532 of 2007(H)

PETITIONER:

P.B. ASOK KUMAR,
SECRETARY, EZHUPUNNA GRAMA PANCHAYAT,
EZHUPUNNA P.O., ALAPPUZHA DISTRICT.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL
SRI.ANILKUMAR.K.N.PILLAI

RESPONDENTS:

1. THE DIRECTOR OF PANCHAYATS,
THIRUVANANTHAPURAM.
2. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO LOCAL ADMINISTRATION,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.K. DENESAN, J.

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W.P. (C) No. 5532 OF 2007 H
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Dated this the 20th February, 2007

J U D G M E N T

The petitioner is now working as the Secretary of a Grama Panchayat. He commenced service on 27-4-1971. His date of birth as entered in the S.S.L.C. book is 28-7-1954. He canvassed for the position that the correct date of birth is 10-8-1955. He made attempts to get the entry made in the S.S.L.C. book corrected. Though a belated application was filed, the Government condoned the delay and directed the Commissioner for Government Examinations to pass appropriate orders. Accordingly, the date of birth entered in the S.S.L.C. book was corrected as 10-8-1955 as per the order passed by the Commissioner on 3-9-2003. Thereafter the petitioner filed Ext. P4 application before the Director of Panchayats for correcting the entries in the service book as well, in conformity with the corrected entry in the S.S.L.C. book. The petitioner has now filed this writ petition seeking for a direction to the 1st respondent-Director to consider Ext. P4 and pass appropriate orders.

2. I am not inclined to grant the relief prayed for by the petitioner. Firstly for the reason that the Director is not the authority to consider the request made for correcting the entry relating to the date of birth in the service book. The appropriate authority in that behalf is the Government. No application has been filed before the Government. Govt. Orders on the subject make it clear that applications filed by those in service as on 31-1-1991 will have to file such applications within a period of one year. Applications filed belatedly are liable to be rejected. The petitioner commenced service in the year 1971. Application filed by him in 2003 or thereafter will undoubtedly be highly belated. Hence on that ground also, there is no question of the petitioner's case being considered by the respondents. This writ petition is devoid of merit. Dismissed.

K.K. DENESAN
JUDGE

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